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COMMITTEE ON  
VETERANS' AFFAIRS

COMMITTEE ON  
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January 31, 2022

The Honorable Denis McDonough  
Secretary of Veterans Affairs  
U.S. Department of Veterans Affairs  
810 Vermont Ave, N.W.  
Washington, DC 20420

Dear Secretary McDonough,

I write to express my concerns with the recent rise of unaccredited disability claims consultants that target veterans for financial exploitation, engage in predatory and unethical practices, and charge veterans for assistance filing disability benefits claims. Accordingly, I request a briefing from the Department of Veterans Affairs (VA) on its strategy to raise awareness of unaccredited disability claims consultants, protect veterans benefits, and educate veterans of their rights to competent representation in the VA benefits process through the services provided by VA-accredited Veterans Service Organization (VSO) representatives, agents, and attorneys.

As you know, eligible veterans with service-connected disabilities can file a claim for disability compensation with the Veterans Benefits Administration (VBA). In order to ensure veterans have access to qualified representation when seeking assistance filing a claim, the VA provides accreditation to three types of representatives – VSO representatives, attorneys, and agents. VA-accredited representatives are the only ones that can prepare, present, and prosecute VA claims and are bound by VA regulations in addition to other legal and ethical standards. For example, VA-accredited representatives are prohibited by statute from charging veterans a fee to file an initial claim, and the VA implemented detailed rules and regulations for how attorneys and agents can charge fees after a denial of an initial claim.

Unaccredited disability claims consultants, meanwhile, are not subject to VA standards, strategically advertise their services to avoid regulatory oversight, and therefore may engage in predatory and unethical practices that target veterans and rob them of their VA disability compensation benefits. According to Veterans of Foreign Wars (VFW), these consultants may charge “five times the amount of the veteran’s retroactive compensation, potentially costing [the veteran] thousands of dollars.”<sup>1</sup> The National Organization of Veterans’ Advocates (NOVA) states many of these companies claim “they do not charge for the filing of a claim and are merely

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<sup>1</sup> Spiva, Dave. “Steer Clear of VA ‘Claims Sharks’” *Veterans of Foreign Wars Magazine*, June 2021  
(<https://www.vfw.org/media-and-events/latest-releases/archives/2021/6/steer-clear-of-va-claim-sharks>)

“consulting” or “coaching,” but require veterans to sign contracts that will make them pay unregulated sums out of future benefits.”<sup>2</sup> Veterans working with these predatory consultants often file the claim themselves, making it difficult to determine which companies were assisting them, underscoring the need for the VA to create an awareness campaign so veterans don’t fall victim.

Last year, VetAttend Professional Services, LLC, was shut down by the Louisiana State Attorney General for operating a VA benefit consulting and management business without accreditation from the VA. While VetAttend advertised its services for free, it “required veterans to sign three-year contracts to use VetAttend’s home care services, giving all or a portion of the veterans’ benefits” to the company.<sup>3</sup> An investigation into Veterans Guardian – an unaccredited North Carolina-based company that advertised itself as a “pre-filing benefits company” – revealed it was charging veterans who signed a contract for their services five times the total amount of the increase in their monthly benefits.<sup>4</sup> Some consultants even go so far as to ask veterans to provide their eBenefits and MyHealtheVet log-in information to access their private information and medical records.

While the VA’s Office of the General Counsel provides a list of VA-recognized organizations and VA-accredited individuals on its website, the pandemic has tragically allowed predatory actors to exploit social isolation and aggressively target veterans with flashy online advertisements that promise veterans more monetary benefits in a time of financial uncertainty. The VA must do everything in its power to protect veterans from predatory, unaccredited disability claims consultants and get veterans the benefits they’ve earned.

Accordingly, I request a briefing from the VA within the next 30 days on its strategy to raise awareness of unaccredited disability claims consultants, protect veterans benefits, and educate veterans of their rights to competent representation in the VA benefits process through the services provided by VA-accredited VSO representatives, agents, and attorneys. Thank you for your attention to this important matter and I look forward to your response.

Sincerely,



Chris Pappas  
Member of Congress

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<sup>2</sup> “Best Practices for Seeking Accredited Representation and Responding to Unaccredited Representatives” *National Organization of Veterans’ Advocates, Inc.*

<sup>3</sup> To, Special. “Louisiana Company Targeting Veterans Shut Down” *L’Observateur*, January 9, 2021 (<https://www.lobservateur.com/2021/01/09/louisiana-company-targeting-veterans-shut-down/#puzzle,1733,1615289724202>)

<sup>4</sup> Ochsner, Nick. “NC company charges veterans for benefits advice they could get for free” *WBTV*, February 18, 2020 (<https://www.wbvtv.com/2020/02/18/nc-company-charges-veterans-benefits-advice-they-could-get-free/>)